

MINUTES

RANDOLPH COUNTY PLANNING BOARD

January 26, 2006

The Randolph County Planning Board met at 6:30 p.m., on Thursday, January 26, 2006, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Lynden Craven, Chairman, present; Jim Rains, Vice Chairman, absent; Maxton McDowell, absent; Larry Brown, present; Phil Ridge, present; Chris McLeod, present; Reid Pell, present; Wayne Joyce, Alternate, present (substituting for regular member Rains); and Danny Shaw, Alternate, present (substituting for regular member McDowell). **Attorney Jon Megerian** (substituting for County Attorney Alan Pugh) was present representing the Board for this meeting.
3. **Planning Director Hal Johnson** reviewed Special Use Permit standards and requirements with those in attendance.

Johnson said a "Special Use Permit" request refers to a situation in which a particular kind of land use is permitted in a zoning district only when the Planning Board issues the permit after making specific "findings" required by the Zoning Ordinance. The Planning Board may affix appropriate conditions to the Special Use Permit for the protection of and compatibility with neighboring properties and the public interest. Johnson said much like the judge in a courtroom setting, the Planning Board sits as a "quasi-judicial" administrative body in its Special Use Permit review role. The main focus and role of the Board is on gathering relevant evidence and protecting the rights of citizens appearing before the Board. As a result, North Carolina laws require that the Planning Board follow special rules of testimony and evidence in order to make a required decision to issue or deny a Special Use Permit. All citizens providing information or testimony to the Board must do so under sworn oath. In granting the permit, the Planning Board must find:

- A. **That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;**
- B. **That the use meets all required conditions and specifications;**

- C. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and**
- D. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.**

Johnson said that as part of a presentation at the public hearing it is in the applicants' or citizens' interest to present specific testimony to support or oppose each of the above findings upon which the Board is required to make.

- 4. ***Swearing in of the Witnesses*** - *"Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."*

16 people took this oath.

- 5. **SPECIAL USE PERMIT REQUEST:**

RANDOLPH COUNTY BOARD OF EDUCATION, Asheboro, North Carolina, is requesting a Special Use Permit to allow a high school education facility with a capacity for 1000 students on 128.22 acres located on Mack Lineberry Road (½ mile off NC Hwy 22 North), Providence Township, Rural Growth Area, Polecat Creek Watershed, Zoning District RA, Tax ID#'s 7786864271 and 7786749522. Property Owners - Carol Cheek York and Carey Todd & Heather L. Davis.

Johnson gave a brief review of the request and presented the site plan that was submitted, aerial photography of the area, and photographs of the site and surrounding properties.

Tom Wright, Attorney representing the Randolph County Schools, said they were present to provide testimony and evidence to the County Planning Board for their approval of the Special Use Permit for the proposed new Northeastern Randolph High School. Wright said the following people would provide testimony to support this request: Donald Andrews, Randolph County Schools Superintendent; Bob Scherer, Randolph County Schools Executive Director of Facilities and Construction; Chris Hilt, Site Designer; Catherine Peele, Architect; Hal Powell, Real Estate Appraiser. Wright added that he would summarize their testimony at the end. Wright said the GIS map presented did not represent the entire site of the request but their slides would show the entire tract. Wright presented folders with their exhibits of evidence that would be reviewed during testimony.

Donald Andrews, Superintendent of Schools, thanked the Board for holding a special meeting for this request. Andrews provided information of the need for the high school: Andrews provided the following facts for the Board:

- Steady growth of 2-3% per year in recent years
- Total system growth of 3,226 from 95/96 - 05/06
- Capacity of 4 existing high schools - 3,560 students
- 04/05 attendance - 5,222 students
- 05/06 projected attendance - 5,355 students
- High schools currently 1,662 students over capacity

Andrews provided the following facts concerning Eastern Randolph and Randleman High Schools:

- Eastern Randolph High School capacity - 1,015 students
04/05 attendance - 1,441 students
05/06 project attendance - 1,495 students
- Randleman High School capacity - 705 students
04/05 attendance - 1,125 students
05/06 projected attendance - 1,153 students
- 16 mobile classroom units at Eastern Randolph High School
- 18 mobile classroom units at Randleman High School (Watershed restrictions limit the number of mobile units that can be added to Randleman)
- Both Eastern Randolph and Randleman High Schools have severe overcrowding of core areas, such as cafeteria, resulting in long lines at lunch and extended lunch periods

Andrews provided testimony concerning the High School Task Force created in 2001. Andrews said this Task Force spent 12 months studying the issue of high school overcrowding. The Task Force members included School Board Members, 2 County Commissioners, a parent representative from each of the four high schools, and staff. The Task Force made the recommendation to construct three additional high schools to keep enrollment sizes at a maximum of 1000 students per high school. Andrews said the Task Force gave the following reason for smaller high schools:

- Provides a safe, well controlled environment
- Allows a comprehensive program of studies
- Keeps students relatively close to home
- Allows some level of growth

Andrews said the Task Force did consider the option to enlarge Eastern Randolph and Randleman High Schools. This enlargement would cost the School System an estimated (2003) \$62,000,000. This option was considered to be too expensive, would be disruptive to educational process, and would create very large high schools with a capacity of 1,600 students. Andrews said the Task Force Report was accepted and

endorsed by the Board of Education. Andrews said in August 2003 it was determined by the Board that the first priority was to relieve overcrowding at Eastern Randolph and Randleman High Schools. Andrews said to construct the proposed Northeastern Randolph High School would relieve overcrowding at two high schools, as opposed to just one school. Andrews said they cannot stress enough the need for this high school. Andrews said any further delay would only create more cost and wear and tear on existing facilities. Andrews thanked the Board for their time and consideration.

Bob Scherer, Executive Director of Facilities and Construction, said he has been involved with this process from the beginning. Scherer described the selection criteria for the new high school site:

- Approximately 100 acres to allow sufficient usable acres for development (due to large size of parcel, school sites typically encompass a certain amount of wetlands and streams)
- Gentle topography (to reduce cost of grading a site)
- Soils suitable for building construct
- Lightly traveled road preferable with good site distances from driveway entrances
- Ability to address water and sewer issues

Scherer described criteria used to determine location:

- Where the students are
- Site needed to serve students from Level Cross, Grays Chapel, and Liberty Elementary Schools
- Availability of large tracts of land that can serve multiple communities (normally found in rural areas across North Carolina)
- Central location to facilitate parent and community involvement

Scherer presented a map of the area (3-mile radius) the Board was looking to locate the new school. Scherer said the search began in 2004 with assistance from Remax Realty. Scherer said they received assistance from the County's Tax mapping system for properties that met the School's criteria size in this area. Scherer said twenty separate properties were researched and evaluated by the architect and site engineer. Scherer said Randolph County Schools received information on the sites concerning the determination of their suitability. Scherer said the result was that this site (York/Davis Property) was determined to be the most viable site out of the properties that were available. Scherer said the other sites just were not for sale.

Planning Director Hal Johnson asked how the 3-mile radius was selected. **Scherer** said they first located the center of the area based on student population. **Johnson** asked if the Schools had any flexibility on where this center point was located, and **Scherer** said they did have some.

Christine Hilt, CLH Design of Cary, North Carolina, said her firm design public school sites and have designed 8 sites in the local area. Hilt said their company has designed many school sites across the state and used the example of designing as many as 108 sites in Wake County alone. Hilt described the site as a 123-acre site owned by Carol Cheek York plus an additional 5 acres owned by Carey and Heather Davis. Hilt said this site is centrally located to serve students from Level Cross, Grays Chapel and Liberty Elementary Schools. Hilt said a large portion of the site is open and the topography is good. Hilt said Mack Lineberry Road is lightly traveled, with only 900 trips per day, and good site distances for potential driveway entrances. Hilt explained that the N.C.D.O.T. has confirmed that the road system can handle additional school traffic and has also approved the potential driveway entrances. Hilt described the due diligence process concerning this site:

- Standard procedure is to assure suitability of the site prior to purchase.
- Phase I - Environmental Study
Site assessment, based on information gathered and from observations made, revealed no evidence of any on-site or off-site environmental conditions associated with the property.
- Geotechnical Study - 22 soil borings were done to determine the suitability of soils for building construction and the study concluded that the soils were suitable for the construction of the new high school (*Haggett Engineering Associates, Inc.*).
- Wetlands and Stream Buffer Delineation were conducted by *S&EC* and confirmed by the Corps of Engineers. The study determined that wetlands and stream buffer locations did not impede the desired site layout for the high school, and allowed for the grouping of athletic fields without having to cross wetlands or stream buffers.
- Traffic Study was completed by *Kimley-Horn Engineers*. The study includes actual traffic counts on Mack Lineberry Road, Hwy 22, and Benny Lineberry Road. Traffic engineers have recommended the following improvements:
 - School site - right-turn lanes at the proposed school driveway entrances be constructed by the School System within the N.C.D.O.T. right-of-way or on School property.
 - Hwy 22 intersection with Mack Lineberry Road and Benny Lineberry Road - re-align Mack Lineberry Road and Benny Lineberry Road intersecting with Hwy 22 and install a traffic signal. Alternate option would be for widening and turn lanes at Hwy 22 (if re-alignment is not feasible).

- This study has been submitted to N.C.D.O.T. and is being reviewed. Randolph County Schools will be proactive in working with N.C.D.O.T. to pursue the improvements to the Hwy 22 intersection, through either re-alignment of Mack Lineberry Road and Benny Lineberry Roads or widening with turn lanes.

Hilt presented a site-analysis map of the property and noted that 60-70 acres of contiguous developable property is typically what is desired. Hilt said an average of 23% of school sites were committed to wetlands and buffers and this site is 26%. Hilt described this number as what would be typical of sites in North Carolina. Hilt presented a concept plan for the new Northeastern Randolph County High School and provided a summary of the design:

- Allows for ample on-site stacking and separation of parents, buses, and student parking
- Allows athletic fields to be grouped together in the center of the site (behind the school building)
- School will face the Mack Lineberry Road
- Non-lighted practice field in front of school will make for nice large lawn in front
- Design provides ample parking and long on-site drives for special event parking
- Preserves a portion of the site in its natural state along the streams and wetlands
- Preserves the existing pond, to be fenced
- Retains as many trees as possible along the property lines and stream buffers and keeps most of the school in the existing open field areas
- Places the majority of the parking behind the school building
- Proposed private sewer extension to Grays Chapel Elementary
- In discussion with the Town of Franklinville for proposed public water extension (Hwy 22), would allow Grays Chapel Elementary to be added to public water line
- Layout is in keeping with the Land Development Plan for Randolph County

Hilt provided summary of parking design:

- 400 student parking spaces, 150 staff/visitor parking spaces, for a total of 550 spaces (serving a 1000 student capacity high school), with event parking along drives and double-striping of bus lot - for a grand total of 750 spaces
- Parking allotment meets the Randolph County Zoning Ordinance requirements
- Parking Comparisons:
 - Eastern Randolph - (1500 students) - 550 parking spaces
 - Randleman - (1153 students) - 500 parking spaces

Hilt explained they have tried to address neighbor concerns. Hilt presented previous layout and discussed changes that were made between the two plans. Hilt described the changes that have been made to address some of the neighbors' concerns:

- School system plans to purchase additional property to insure that neighbors are well-buffered from light and noise (original site 100 acres - new proposal 128 acres)
- Site plan reviewed to group all lighted ballfields together, towards the center of the property (behind the school building)
- Moved football field to rear and center of the site, away from any residences
- Prior site plan showed some lighted fields at the front of the site
- Ability to increase separation in driveway entrances
- Items added at the request of the neighbors:
 - Propose to add landscape buffer along western property line (800 feet of evergreen plantings)
 - Propose to provide chain link security fencing around majority of site

Hilt explained that the added items requested by the neighbors were a result of a meeting the Schools held with neighbors on January 20th and the Schools sent out a response letter two days later.

Jon Megerian asked if the Schools would be willing to add the response letter as part of its permit. **Wright** answered yes.

Catherine Peele, Architect with LS3, Director of K-12 School Design, presented and reviewed the proposed design of the building facilities. Peele explained that the School Board visited a real life model of the plan. Peele described the plan as primarily 1-story with a 2-story classroom wing. Peele said the buildings are set up for the best use of the community. The plan would allow some facilities to be used without opening up the entire school facility. Peele said this proposed design has won several awards nationally.

Powell, Appraiser, said he has been a real estate broker for 20 years and a state-certified appraiser for 15 years. **Wright** asked Powell if he did an economic impact study for the proposed school, and **Powell** answered yes. Powell explained that he was asked to determine if the presence of the proposed high school would lessen adjoining property values. Powell said he used a 1-mile radius scope. Powell said there has only been one real estate sale in the past 12 months within this scope area. Powell said he also studied the impact other County schools have had on the respective community, which included Eastern Randolph High School, Southeastern Randolph Middle School, and Level Cross Elementary School. Powell said Level Cross Elementary School has had a residential subdivision, developed by Bill Boyd, constructed across the street. Powell said during the first 2 years of development, 9 homes were sold for an average of \$114,000 and within a time period of 9 months per home. Powell said within the last year 15 homes were sold in this subdivision at an average of 30% increase in cost and were only on the market for an average of 5 months. Powell said he performed consumer interviews and no one would say that the schools have lessened their property values. Powell said it was his opinion that schools make a positive impact on property values. Powell said he is familiar with the community of the proposed high school and has appraised and sold many properties in the area. Powell said it is his conclusion that the new school would

not have a negative impact on adjoining property values.

Chairman Craven allowed time for cross examination.

Rick Sharpless, Attorney, explained that he currently lives on Benny Lineberry Road and is representing some of the neighbors. Sharpless said he will not be providing testimony as a neighbor; he is the attorney representing those in opposition. Sharpless asked Powell if schools attract residential development and Powell said it was his opinion that they do. **Sharpless** asked Powell if he felt new development was a good thing and **Powell** answered yes. **Sharpless** said with Powell's conclusion, this is an underdeveloped area and property values would be helped by constructing a school. Sharpless asked Powell if it would be fair to say that if the high school was built adjoining properties such as the Baldwin property, the Farlow Property, and the Whitaker property could be used for residential subdivision development. **Powell** answered that schools add value to surrounding land.

Sharpless asked Andrews if he had been an educator all his life, and **Andrews** said he has been an educator for most of his professional life. **Sharpless** asked Andrews if he has taught children the difference between what are wants and what are needs. Sharpless asked Andrews if he would agree that the need for more classrooms is a need, and **Andrews** answered yes. **Sharpless** said after that need was realized, the Schools decided they wanted small schools and chose not to expand existing schools. Sharpless asked Andrews if he would agree that this would be a want and not a need. **Andrews** said yes, but the High School Task Force researched the issue of whether we should build new high schools or if we should expand the existing high schools. The Task Force looked at the cost and discovered through this study that 800-1000 student capacity high schools are more cost effective. **Sharpless** asked Andrews if there were other locations in the search area to build a high school to service this area. **Andrews** answered yes, but the other properties were not available.

Sharpless asked Scherer if the proposed attendance zone shown on a map he presented was generally correct. **Scherer** answered yes, with the exception that the new high school would not serve the Randleman area (only the Level Cross Community). **Sharpless** asked Scherer if they looked at the Underwood property, a Kidd's Mill Road property, the Fag property, a property on Hwy 421, and the Inez Reynolds property; **Scherer** answered yes. **Sharpless** asked Scherer if the Reynold's property was located just inside the area designated by the County as Rural Growth; **Scherer** answered it is in the Rural Growth Area. Sharpless asked if the Fag property is not flat and shaped much like the York property being proposed; and Scherer answered that it is a narrower tract and has less buildable land. **Sharpless** asked Scherer if the Fag property was too expensive and **Scherer** said some areas were not buildable. **Sharpless** asked Scherer about the Henry York Property; and **Scherer** answered that it is located further from Franklinville water and is not in the center of the attendance area. **Sharpless** asked if a Board member had said to the owners of the Underwood property that they could just condemn his property if he was not willing to sell; and Scherer answered that he was not

aware of any such remark. **Scherer** said 20 properties were considered in the initial search and 6 or 7 were eliminated because they were not in the center of the attendance area. Scherer said the Kidd's Mill Road site was totally unsuitable because too much dirt would have to be moved. **Sharpless** asked Scherer if in fact there has been no final decision made on the attendance zone. **Scherer** said the final decision has been made that the attendance would include Liberty School District, Grays Chapel School District and Level Cross School District. **Sharpless** asked Scherer if he recalled an email to Peele concerning the number of parking spaces needed. **Scherer** answered that he remembered discussing the number of needed parking spaces. **Sharpless** asked if he remembered requesting 450-500 student parking spaces; and **Scherer** said it is possible but he was not sure. **Sharpless** provided Scherer a copy of his email to Peele dated February 3, 2005. **Sharpless** asked Scherer if in his experience didn't he say that 45-50% of students attending a 1000-student capacity high school drive to school; and Scherer answered no. **Sharpless** reviewed testimony given by Worth Hatley, former Superintendent of Schools, and asked if this testimony was incorrect; and Scherer said he couldn't testify to Hatley's testimony. **Board member Brown** asked Scherer if some students carpooled; and Scherer answered some do. **Wright** asked Scherer if his email suggesting number of parking spaces was coming from his experience at Eastern Randolph High School and Scherer answered that it came from his experience with Eastern Randolph and Randleman High Schools. **Peele** said Scherer's original projected number was high and his response was due to the fact that at Eastern Randolph there are 500 parking spaces with a student population of 1500. **Peele** said the number of parking spaces being proposed is an adequate number of spaces for a high school with a capacity of 1000 students.

Sharpless said the traffic engineer that completed the traffic study for the Schools was present. Sharpless asked if he could question the traffic engineer concerning the traffic report. **Wright** said that Mike Horn, Engineer, Kimley-Horn and Associates, Inc., was present. **Megerian** directed Wright to allow Sharpless to cross examine Horn. **Horn** explained that he is an engineer in North Carolina and has been a traffic engineer for 25 years. Horn provided a copy of the Traffic Impact Analysis he prepared for Randolph County Schools. Horn explained that they were asked by Randolph County Schools to look at the site and make recommendations to them. Horn said they support the re-alignment of Benny Lineberry Road and Mack Lineberry Road where they connect to Hwy 22. The re-alignment would create a four-way intersection as opposed to the two T-intersections that exist. Horn explained that the study also outlines an alternative in the case that the re-alignment could not be done. Horn said the proposed school entrances on Mack Lineberry Road are not a concern. Horn explained to the Board that neither the County nor North Carolina Department of Transportation require a traffic study for the development of the school. **Sharpless** questioned the distance between the two roads, and **Horn** answered the actual distance is 225 ft. center to center. **Sharpless** asked Horn if he would have any safety concerns if the intersection could be realigned; and **Horn** answered that they would feel this would be an appropriate measure to handle the traffic. Horn said the study presents an alternative if the right-of-way could not be obtained or the re-alignment could not be made for any other reason. Horn said this is not the only alternative to handle the traffic situation but it is the alternative that they have given to

N.C.D.O.T. Horn said they based their study on 1,200 student drivers because they wanted to use the maximum number of students that could attend the proposed high school. Horn said they used the “school calculator” developed by N.C.D.O.T. to determine the amount of traffic the school would create. The numbers considered were 1,200 student drivers, 111 staff members, 9 buses, and 110 parents during peak travel time. **Sharpless** advised Horn that if he would work with him this questioning would go a lot faster. **Megerian** advised Sharpless that if he would discontinue asking the same question it would go a lot faster also. **Sharpless** questioned the traffic percentage increase figures in the report; and **Horn** answered they were correct. **Sharpless** said most of the people from Liberty would be traveling on Benny Lineberry Road. **Horn** said there is a strong case to be made that there are multiple routes that will be used. Horn added that he felt their numbers are accurate. Horn said none of us have a crystal ball but he felt this is an accurate account. **Sharpless** questioned the number of vehicles projected during peak hours; and **Horn** said a school introduced anywhere would dramatically affect traffic during peak hours. **Sharpless** asked about delay time of those trying to turn left onto Hwy 22 from Mack Lineberry Road. **Horn** answered there would be a 44-vehicle delay which equates to approximately 4 ½ minutes. Horn said this delay would only be for approximately 15 peak minutes twice a day. Horn said this is atypical, but it is being considered by N.C.D.O.T. **Sharpless** asked if the community was supposed to wait while D.O.T. determined if a traffic signal was needed. Sharpless added this is the same D.O.T. that waited until three teenagers burned to death in a traffic accident at the Hwy 64 intersection near Eastern Randolph High School before a traffic signal was installed. **Horn** said that N.C.D.O.T. is the only agency that determines when and if a traffic signal is constructed on state maintained roads.

Chairman Craven said that this Board is considering assumptions of a traffic study and these figures could change in the next year. **Horn** said that is correct and they feel that they have a cushion to make this work. **Chairman Craven** said we have to start somewhere and traffic lights and turn-lanes are up to D.O.T.

Johnson asked Horn if in his professional opinion he felt this would endanger the public’s safety if the school is built at this proposed site. **Horn** said the construction of the new school will not cause any danger to the community. Horn said Mack Lineberry Road and Benny Lineberry Road are safe. Horn added that even if the school does not go here there is still a problem with this intersection on Hwy 22. Horn said D.O.T. realizes this and the Schools are actively pursuing a preferred option. Horn reminded the Board that D.O.T. is the steward of the road system and they want a solution that will not pose a safety hazard. **Johnson** asked Horn if D.O.T. requires a traffic study; and Horn said they typically do not, but D.O.T. was very thankful for this one. Horn said D.O.T. told them that if this site doesn’t work then there is not a site that would work. Horn said D.O.T. is not normally supplied traffic studies in rural areas.

Sharpless finished his cross-examination. **Megerian** asked Wright if he would like to summarize his case; and **Wright** said that he would wait until later.

Chairman Craven asked if there was anyone present that would like to speak in favor of this request..

Gary Caudle, 3996 Bethany Church Road, said that he was present to represent the parents and children in favor of this facility. **Caudle presented a petition of 330 signatures in favor of this proposed high school site.** Caudle said he would like to thank Harlan Hackett, who is an 80-year old resident of this community, who gathered all of these signatures. Caudle said these people recognize how our children are being affected by overcrowded school facilities with shared classrooms, 18 mobile classroom units and lunches starting at 10 am. Caudle said there are a total of 34 mobile classroom units and 900+ more children attending these 2 high schools than the schools' designed capacity. Caudle said this school may cause a small inconvenience to a few neighbors, but this will benefit 1000's of children in this community. Caudle said our School Board has made an excellent decision, and the people in favor of this request respectfully asked the Planning Board to approve the permit.

Chairman Craven asked for those present in favor of this request to stand for the record; 96 citizens stood up.
Chairman Craven then asked for those present in opposition to this request to stand; 14 citizens stood up.

Curtis Hayes, Randleman, North Carolina, said that he is in favor of our kids and our kids are our future.

Sherry Hilton, 2407 Providence Church Road, said that she is a mother of three children and has taught at Grays Chapel Elementary School for 23 years. Hilton said we need the new high school. Hilton discussed the problems with the overcrowded lunches. Hilton said she sees children in her classes now that if they have to go to a large school like Eastern Randolph High School then they wouldn't make it through. Hilton said more high schools will allow more children to participate in extra activities. Hilton said these are our kids and most people wouldn't want a school in their backdoor but there could be worse things. Hilton said we really need this school.

Julie Black, 2950 Oak Hollow Trail, Franklinville, asked how many kids the school will be able to hold, and **Peele** said the proposed classrooms could hold 1000 but the core facilities are built for 1200 students. **Black** asked if all the children from Randleman, Grays Chapel, and Liberty will go to this new school, and **Scherer** answered Grays Chapel, Liberty, and Level Cross Elementary Schools. **Black** asked if the academics would be the same for students at this school as Eastern Randolph High School, and **Chairman Craven** said the School Board has the expertise to know what the academic needs are for each school. **Black** asked if the school budget would be able to handle all of what is being promised, and **Chairman Craven** said that the sewer and water facilities could come from any number of municipalities. **Black** asked Board member Brown if she was aggravating him with her questions, and **Brown** answered no. **Andrews** said that if she would like to set up a meeting with him in his office he would be glad to talk

to her in detail about the school. **Black** said she must be at the wrong meeting.

Chairman Craven asked if there was anyone present that would like to speak in opposition to this request..

Odell Routh, 2852 Benny Lineberry Road, said he didn't know whether to stand for or against this request. **Chairman Craven** asked Routh to address the Board and not the audience. **Routh** continued to address the crowd. Routh said his position does not mean that he is against education, but just the opposite. Routh said he has worked hard to support Grays Chapel Elementary School for many years. Routh said he graduated in 1949 from Grays Chapel School. Routh said he has also supported Eastern Randolph High School. Routh said he has served on the PTA at Grays Chapel School and has financially supported Grays Chapel School for decades. Routh said he spoke with Horne on Monday and was told it was his position that with added turning lanes and traffic lights the intersections would be adequate for now. Routh questioned if this would be enough improvements once the high school is built. Routh discussed the number of trucks and vehicles that currently use this intersection and discussed the extreme conditions that exist. Routh talked about an accident that almost occurred last week in front of a D.O.T. truck. Routh discussed the traffic problems at the Hwy 64 intersection near Eastern Randolph High School. Routh said he is a retired fire fighter with 22 years experience and has assisted with many traffic accidents during those years. Routh said if the intersection is not properly aligned, many horrible accidents may occur. Routh said the Board's votes and actions will set the tone of this development.

Suzanne Baldwin, 5479 Mack Lineberry Road, said she lives directly beside this proposed school site. Baldwin said she is not opposed to a school, but she is opposed to this site. Baldwin said they built their home in 2002 and there were no plans for a school at that time. Baldwin said her land originally belonged to her grandparents and many other people here are long-time families of this area. Baldwin said they like the country lifestyle. Baldwin said that the School Board has no concept or appreciation of the rural lifestyle of the residents of this area enjoy. Baldwin said this area is designated as a Rural Growth Area in the County's Growth Management Plan and described the characteristics of this area. Baldwin said land use changes should be designed to protect the rural life. Baldwin said this area is in the Polecat Creek Watershed. Baldwin said that in 2004 they provided information to the Schools about the poor soil conditions of this site. Baldwin said she was told in 2005 by Scherer that this property didn't have any wetlands and she provided him with a map that stated otherwise. Baldwin said the practice field at the back of the site will not be able to be used because of the poor soils. Baldwin said they have been telling the Schools since February that you cannot sit in your office and study the property. Baldwin said there are no existing trees at the front west property line as the Schools' plan shows. Baldwin said they need to find another site. Baldwin discussed concerns of run-off from the paved drives and parking lots and said they better not channel their drainage onto the adjoining properties. Baldwin said the School Board cannot provide enough buffering to adjoining property owners. Baldwin said they are only proposing a 100-ft. buffer, but they asked for a 300-ft. buffer.

Baldwin said the School Board is finally proposing a fence, but it is only a 4-ft. fence. Baldwin said they have been lied to, harassed and bullied by the School Board. Baldwin said they are concerned about the heavy traffic in this farming community. Baldwin said she works in Greensboro and has to make left-hand turns onto Mack Lineberry Road and Hwy 22. Baldwin said this will be impossible after the school is built. Baldwin talked about the fertilizing of their pastures and the problems this may cause. Baldwin said she will not tolerate any parking on her property for school events. Baldwin discussed concerns about not enough parking, trespassing onto adjoining properties, etc. Baldwin discussed a confrontation with Scherer and his contractors on a Saturday morning. Baldwin said they have been asking about the attendance zone for over a year and were told it was not determined. Baldwin said Scherer must have thrown that together before this meeting. Baldwin said the Schools picked the site before they knew what students would attend. Baldwin said this site does not provide any room for expansion. Baldwin said the Board of Education has threatened landowners about condemning their land. Baldwin said Scherer threatened her about land being condemned and Grady Lawson threatened the Underwoods about their property. Baldwin said the Davis' were also threatened. Baldwin said this type of behavior is ridiculous and someone should stop it. Baldwin said the Uwharrie Middle School case was a lot of under the table dealings, but this case is much worse. Baldwin said this type of development is not in harmony with this area. Baldwin said if a business of this size was proposed in this area it would be turned down. Baldwin said the School Board thinks they don't have to follow the rules or the rules will be bent for them. Baldwin said they should have used the land they purchased at Eastern Randolph High School in 1999 for \$300,000 that they have never used. Baldwin asked the Planning Board to stand behind the Growth Management Plan. **Baldwin presented a petition of 260 signatures in opposition to this request.** Baldwin said the Planning Board will need to do away with the Growth Management Plan if they approve this school and the plan should be removed from the County's website. Baldwin said if the Planning Board approves this they will be bending their rules and they will have to bend them for businesses and housing developments in the future. Baldwin said if the Planning Board approved the Special Use Permit it should have conditions to address the following issues:

- 8-ft. fence
- improvements to Benny Lineberry Road, Mack Lineberry Road, and Hwy 22 before the school is built
- run-off must be controlled
- any improvements to Mack Lineberry Road should be on school property
- dense evergreen buffering planted on the west property line
- stipulation to protect adjoining property owners for condemning their property in the future
- stipulation of lights and noise

David Farlow, 5634 Mack Lineberry Road, expressed concern about the proposed changes for the roads. Farlow discussed off-site septic systems in the area being affected

if Mack Lineberry Road is moved. Farlow said he purchased a farm across the road in 1994. Farlow said both of his adult sons are interested in farming their property in the future. Farlow said this farm is their lifetime investment. Farlow discussed hog lagoons, chicken farms, and animal manure that is used to fertilize fields in the area. Farlow said he believes the school would adversely affect farmland values. Farlow discussed traffic, trespassing, pollution, trash, etc. problems to the farmers. Farlow said this area requires a minimum lot size of 3 acres per residential lot. Farlow said the school would devalue his property and developers wouldn't be interested in his property because of the large lot size requirements. Farlow said if the Planning Board approved this request it would be setting a precedent in the area. Farlow said if this is approved he hoped the Planning Board would be as liberal when he and other farms needed to sell their properties in the future.

Sue Farlow, 5634 Mack Lineberry Road, said she is not against a new school, but she is against this site. Farlow said their families have gone to Randleman and Eastern Randolph High Schools. Farlow said she was a teacher assistant for 2 years and worked at Eastern Randolph High School. Farlow said she teaches in Asheboro Schools now. Farlow discussed the crowding problems that Asheboro is experiencing. Farlow discussed the new school being created at Randolph Community College and the small school concept Asheboro Schools is exploring. Farlow said Andrews said this concept is a fad and would change. Farlow said they also discussed the population explosion and said many more will come. Farlow said she is opposed to this school and that the design has no room for growth. Farlow said there is room to expand at both Randleman High School and Eastern Randolph High School at this time. Farlow discussed the wetlands on this property. Farlow said there is land for sale in the area and there is a 150-acre site with frontage on two roads. Farlow said a school on the proposed site would be in the same situation with nowhere to grow. Farlow said as an educator and taxpayer she is concerned about the amount of dollars that have currently been spent on this site. Farlow said that the negative impact of this school far outweighs the positive.

Ann Baldwin, 5027 Mack Lineberry Road, said that we've heard about all these studies and we have not been assured that the safety issues have not been made part of this permit. Baldwin said that if this school is approved, and if another vehicle accident like the one Eastern Randolph experienced where the three teenagers burned to death occurs, each Planning Board member will have to ask himself if he could have asked another question.

Sharpless discussed comments made by School Board member Johnson during the Machico Nelson request before the Planning Board in 1993. **Megerian** asked if that request was a special use permit or was it a straight rezoning request. **Sharpless** answered that it was a rezoning request. Sharpless asked Johnson if the application submitted was complete; and **Johnson** answered that the staff has reviewed the application and it is in compliance with the Zoning Ordinance. **Sharpless** asked Johnson if this request was in conformity with the Growth Management Plan; and **Johnson** answered yes. Johnson said a Rural Growth Area is a very specialized area. Johnson

said in 2002 when the areas were made part of the County Growth Management Plan, some of the issues were the continued residential subdivision growth with relatively small lot sizes. Johnson said at that time the Board of Commissioners defined low density as one residence per 3 acres. Johnson said in the matter related to schools, the County does not encourage a public school within a rural growth area unless there is the possibility of public water and public sewer services.

Sharpless asked those people in favor of this request to stand. Then he asked all those standing who are School Board member or an employee of the Schools to sit down. Then he asked all those that received a note from their child's school to please sit down. Then he asked for all those standing that do not live on Mack Lineberry Road or Benny Lineberry Road to sit down. After the last request, everyone in the audience was sitting down.

Karen Katula, 2100 Forest Haven Drive, said her children graduated from Eastern Randolph High School. Katula said she felt this school would be a degradation of the rural area and would lead to the Commissioners opening the area up for more development.

Megerian asked Sharpless for his summation.

Sharpless said no one in the room is against building a school. Sharpless said the question before the Board is whether the school will be built on this site. Sharpless said the request doesn't meet the following test:

A *That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved*

Sharpless said the traffic safety issue at the intersection of Benny Lineberry Road, Mack Lineberry Road, and Hwy 22, starts out as an assumption of a lower number of vehicles than testimony given by Hatley during the Uwharrie Middle School Public Hearing request. Sharpless said the delays will be far greater than they have prepared for. Sharpless said the delays provoke road rage and are adequate reason to delay this permit. Sharpless said they feel the Planning Board can require the road improvements prior to the Certificate of Occupancy of the school facility.

D *That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.*

Sharpless said the Planning Board adopted the Growth Management Plan, and if there were any other development that involved occupancy and traffic of this nature, the Planning Board would turn it down flat. Sharpless said the only difference is that the requesting party is the Schools. Sharpless told the Board that they set the rules, and if

rules aren't rules anymore, they shouldn't exist.

C That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

Sharpless said the appraiser said the school won't hurt property values; it will create subdivisions. Sharpless said they don't want additional developments. Sharpless said they are not just talking about a high school; they are talking about all the growth that comes with it. Sharpless asked the Board if they would be able to say no to all development requests that come after this school. Sharpless said this school is contrary to the Growth Management Plan for this area. Sharpless said these people in opposition feel passionately about their land. Sharpless described them as area folks that have lived for generations on this land and want to stay here. Sharpless said they thought this Board valued their lifestyle, their land, and the way they live.

Megerian asked Wright for his summation.

Wright said the Schools are not asking for special treatment and are not asking the Board to abandon the Growth Management Plan. Wright said the Schools are asking for the Board to do what the ordinance allows. Wright said nothing about this proposal is going to change the Rural Growth Area. Wright described the attendance zone as virtually all in a Rural Growth Area. Wright said they are not asking for a subdivision or a business. Wright said this is not premature expansion of infrastructure; it is long overdue infrastructure based on what is already developed. Wright said anywhere they build a school there is going to be more traffic, and one of the reasons for this site is because Mack Lineberry Road is lightly traveled. The Board is going to be proactive about correcting problems that already exist at the intersection on Hwy 22. D.O.T. is in charge of road safety. The Schools cannot widen the roads or put up a stoplight; these are duties of D.O.T. Wright explained that many of Suzanne Baldwin's concerns have been addressed in a letter from the Schools to Sharpless. Wright said the Schools will accept this letter as conditions to the permit with the exception of the road improvements.

A That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;

Wright said in regards to the environment, the proposed site development respects the 24% impervious surface threshold by leaving a large undisturbed natural buffer, thus protecting water quality in the Polecat Creek Watershed (only 14% impervious surface projected). Large natural buffers are proposed to remain around the perimeter of the site, thus insuring that the high school is a "good neighbor." No on-site sewer systems are proposed, thus protecting the groundwater quality.

Wright said concerning traffic the proposed site design minimizes the traffic impact along Mack Lineberry Road, a lightly traveled secondary road. The separation of student

traffic from bus and parent traffic and the creation of long driveways on site will help keep high school traffic off of Mack Lineberry Road. Turn lanes at the school driveway entries will allow through traffic to pass and emergency vehicles to move through with minimal delay. The School System will work with N.C.D.O.T. towards improving the intersection of Hwy 22, Mack Lineberry Road, and Benny Lineberry Road.

B That the use meets all required conditions and specifications;

The new high school will meet all regulatory requirements from the required review agencies.

C That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

Wright said the testimony of the real estate appraiser is that the school would have a positive impact on nearby real estate property values, and a new high school to accommodate growth is a public necessity.

D That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.

Wright said high schools across the state and the nation are often located in rural areas, due to the availability of large tracts of land and the fact that one high school often services multiple communities within a school jurisdiction. High schools are often located between communities and to equalize travel distances for buses and cars and provide equal “ownership” of the surrounding communities. Randolph County is largely rural in nature, and approximately half of our existing schools are located in rural areas. Due to the location of our student population and the desire to relieve overcrowding at both Eastern Randolph High School and Randleman High School, virtually any site that would serve these criteria would be located in the Northeast rural growth area for Randolph County. The site design for this high school is in harmony with the Land Development Plan for Randolph County.

Chairman Craven closed the Public Hearing.

Board Discussion: Conclusions Based of Findings of Fact

Johnson noted that there have been conditions offered as a result of meeting with the neighbors. **Megerian** said the Schools have agreed to all of the conditions within the letter with the exception of the road improvements.

Brown said we have heard a lot about the 4 tests, but he felt there had been no evidence presented by the opponents. Brown said the applicant provided witnesses and testimony

of experts, studies, etc. in order for the Board to draw conclusions.

McLeod said there was a lot of opposition to the Uwharrie Middle School, and it was one of the best things for their community. McLeod noted the added presence of law enforcement in their community as a result of the previously approved school.

Ridge said there is a need for the school, and it would be hard to place a school outside of the Rural Growth Area in this attendance area.

Brown said rural kids need an education too.

Johnson asked Scherer the proposed cost of the additional conditions, and **Peele** said approximately \$75,000 for fencing, but there is not a dollar amount calculated for the landscaping cost at this time.

Pell asked what the additional cost would be if the fence is increased to 6 ft. **Scherer** said it would not be worth fighting over. **Pell** asked if the Schools would agree to 6 ft., and **Andrews** answered yes. Andrews described the fence as a deterrent, but said they would accept the increase to 6 ft.

Chairman Craven asked if the pond would be fenced, and **Andrews** said normally ponds are enclosed by a 6-ft. fence on school properties.

Order of the County Planning Board

Brown made the motion to approve the Special Use Permit, based on the testimony and evidence presented, with the following conditions:

- A 6-ft. chain link fence shall be installed as reflected on the attached site plan and in a manner as to avoid existing trees.
- A landscape buffer along the western property line, from Mack Lineberry Road to a point approximately 800 ft. into the site. The landscape shall consist of fast-growing evergreen trees, planted at approximately 6 ft. on center and integrated with existing trees.
- If public parking occurs along Mack Lineberry Road as a result of school related activities, the School System shall have installed “No Parking” signs along this road upon approval of the N.C.D.O.T.
- Turn lanes shall be constructed on N.C.D.O.T. right-of-way or will occur on school property. No roadway improvements for the proposed school site will require additional right-of-way from adjacent property owners.
- The School System shall seek assistance from N.C.D.O.T. or other funding resources to address such improvements to the intersection of Mack Lineberry Road, Hwy 22, and Benny Lineberry Road as may be required by N.C.D.O.T.
- Efforts should be made to move the proposed driveway and building as far east as possible in order to establish a minimum 100 ft. setback on the western property

boundary.

Ridge seconded the motion and the motion passed unanimously.

The Board finds that the following “Findings of Fact” have been met:

- A. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;*
- B. That the use meets all required conditions and specifications;*
- C. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and*
- D. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.*

Chairman Craven thanked those in attendance for their participation and for being very orderly. The Board will officially approve its Findings, Conclusions, and Order approving the permit at its February 7, 2006 regular meeting.

- 6. The meeting adjourned at 9:30 p.m. There were approximately 120 people present for this public hearing.

HAL JOHNSON

Planning Director

**NORTH CAROLINA
RANDOLPH COUNTY**

JILL WOOD

Date

Clerk/Secretary